Amendments to the Claims

Please cancel claims 114 and 131 and amend claims 108 and 125 as follows.

1-107. (Canceled)

108. (Currently amended) A method ~~to determine the need to vaccinate an animal against herpesvirus, said method~~ comprising the steps of:

(a) contacting a biological specimen ~~of said~~ from an animal with a recombinant protein under conditions suitable for formation of a complex with an antibody specific for a herpesvirus, wherein said recombinant protein comprises an at least 300 contiguous amino acid sequence from SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22, and wherein said protein is free of contaminants that result in false positives; ~~and~~

(b) detecting the presence or absence of said protein:antibody complex~~,~~ ; and

(c) ~~wherein the presence or absence of said complex is indicative of need to vaccinate~~ if said protein:antibody complex is absent, vaccinating said animal against herpesvirus.

109. (Previously presented) The method of claim 108, wherein said recombinant protein comprises an at least 400 contiguous amino acid sequence from SEQ ID NO:18 or SEQ ID NO:20.

110. (Previously presented) The method of claim 108, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22.

111. (Previously presented) The method of claim 108, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18 or SEQ ID NO:20.

112. (Previously presented) The method of claim 108, wherein said recombinant protein has an amino acid sequence consisting of SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22.

113. (Previously presented) The method of claim 108, wherein the presence of said complex indicates the animal need not be vaccinated.

114. (Canceled)

115. (Previously presented) The method of claim 108, wherein said biological specimen is selected from the group consisting of blood, serum, plasma, saliva, urine, tears, aqueous humor, cerebrospinal fluid, lymph, nasal secretion, tracheobronchial aspirate, milk, colostrum, intestinal secretion and feces.

116. (Previously presented) The method of claim 108, wherein said animal is selected from the group consisting of a cat, a dog and a horse.

117. (Previously presented) The method of claim 108, wherein said recombinant protein is immobilized on a substrate.

118. (Previously presented) The method of claim 108, wherein said step of detecting comprises applying a detection reagent that binds to said complex, if present, to obtain a test signal, wherein the presence or absence of a test signal is indicative of the need to vaccinate said animal.

119. (Previously presented) The method of claim 118, wherein said detection reagent comprises an antibody-binding partner conjugated to a detectable marker.

120. (Previously presented) The method of claim 119, wherein said antibody-binding partner is selected from the group consisting of an Fc-binding antibody, an Fc receptor, and an antibody-binding bacterial surface protein.

121. (Previously presented) The method of claim 119, wherein said detectable marker is selected from the group consisting of an enzyme, a radioactive label, a fluorescent label, a

luminescent label, a phosphorescent label, a chromophoric label, a metal sol label, a metal-binding label, a physical label, an electronic label, and a ligand.

122. (Previously presented) The method of claim 108, wherein said method is conducted within about one day.

123. (Previously presented) The method of claim 108, wherein said method is conducted within about one hour.

124. (Previously presented) The method of claim 108, wherein said method is conducted in a time period of between about one minute and about fifteen minutes.

125. (Currently amended) A method ~~to determine the herpesvirus related immune status of an animal which has previously been vaccinated against herpesvirus, said method~~ comprising:

(a) obtaining a biological specimen from an animal that had been vaccinated against herpesvirus at least six (6) months prior to obtaining said biological specimen;

(b) contacting ~~a~~ said biological specimen ~~of said animal~~ with a recombinant protein under conditions suitable for formation of a complex with an antibody specific for a herpesvirus, wherein said recombinant protein comprises an at least about 300 contiguous amino acid sequence from SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22, and wherein said protein is free of contaminants that result in false positives; ~~and~~

(c) detecting the presence or absence of said complex~~,~~ and, ~~wherein the presence or absence of said complex is indicative of the animals immune response against herpesvirus~~

(d) if said protein:antibody complex is absent, vaccinating said animal against herpesvirus.

126. (Previously presented) The method of claim 125, wherein said recombinant protein comprises an at least 400 contiguous amino acid sequence from SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22.

127. (Previously presented) The method of claim 125, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22.

128. (Previously presented) The method of claim 125, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18 or SEQ ID NO:20.

129. (Previously presented) The method of claim 125, wherein said recombinant protein has an amino acid sequence consisting of SEQ ID NO:18 or SEQ ID NO:20.

130. (Previously presented) The method of claim 125, wherein the presence of said complex indicates the animal need not be vaccinated.

131. (Canceled)

132. (Previously presented) The method of claim 125, wherein said biological specimen is selected from the group consisting of blood, serum, plasma, saliva, urine, tears, aqueous humor, cerebrospinal fluid, lymph, nasal secretion, tracheobronchial aspirate, milk, colostrum, intestinal secretion and feces.

133. (Previously presented) The method of claim 125, wherein said animal is selected from the group consisting of a cat, a dog and a horse.

134. (Previously presented) The method of claim 125, wherein said recombinant protein is immobilized on a substrate.

135. (Previously presented) The method of claim 125, wherein said step of detecting comprises applying a detection reagent that binds to said complex, if present, to obtain a test signal, wherein presence or absence of a test signal is indicative of the need to vaccinate said animal.

136. (Previously presented) The method of claim 135, wherein said detection reagent comprises an antibody-binding partner conjugated to a detectable marker.

137. (Previously presented) The method of claim 136, wherein said antibody-binding partner is selected from the group consisting of an Fc-binding antibody, an Fc receptor, and an antibody-binding bacterial surface protein.

138. (Previously presented) The method of claim 136, wherein said detectable marker is selected from the group consisting of an enzyme, a radioactive label, a fluorescent label, a luminescent label, a phosphorescent label, a chromophoric label, a metal sol label, a metal-binding label, a physical label, an electronic label, and a ligand.

139. (Previously presented) The method of claim 125, wherein said method is conducted within about one day.

140. (Previously presented) The method of claim 125, wherein said method is conducted within about one hour.

141. (Previously presented) The method of claim 125, wherein said method is conducted in a time period of between about one minute and about fifteen minutes.

142. (Currently amended) A ~~method to determine the herpesvirus related immune status of an animal which has previously been vaccinated against herpesvirus, said~~ method comprising the steps of:

(a) obtaining a biological specimen from an animal that had been vaccinated against herpesvirus at least six (6) months prior to obtaining said biological specimen;

(b) contacting ~~a~~ said biological specimen ~~of said animal~~ with a recombinant protein under conditions suitable for formation of a complex with an antibody specific for a herpesvirus, wherein said recombinant protein comprises an at least about 300 contiguous amino

acids from SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22, and wherein said protein is free of contaminants that result in false positives;

(c) applying a detection reagent capable of binding to said complex, if present, to produce a test signal, and a reference reagent to produce a reference signal;

(d) detecting the test signal and the reference signal; ~~and~~

(e) comparing the intensity of the test signal with the intensity of the reference signal; and, ~~to determine the immune status of said animal, wherein a more intense test signal compared to the reference signal indicates the animal is not susceptible to infection by herpesvirus~~

(f) if the reference signal is more intense than the test signal, vaccinating the animal against herpesvirus.

143. (Previously presented) The method of Claim 142, wherein said biological specimen is selected from the group consisting of blood, serum, plasma, saliva, urine, tears, aqueous humor, cerebrospinal fluid, lymph, nasal secretion, tracheobronchial aspirate, milk, colostrum, intestinal secretion and feces.

144. (Previously presented) The method of Claim 142, wherein said animal is selected from the group consisting of a cat, dog and horse.

145. (Previously presented) The method of claim 142, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18, SEQ ID NO:20 or SEQ ID NO:22.

146. (Previously presented) The method of claim 142, wherein said recombinant protein comprises the amino acid sequence of SEQ ID NO:18 or SEQ ID NO:20.